HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

C.R.No.868 of 1990
Date of decision : 28.03.2007

State of Punjab and another **.....Petitioners**

versus

Gurbachan Lal **.....Respondent**

CORAM : HON'BLE MR. JUSTICE HEMANT GUPTA.

Present: Mr.Daldeep Singh, DAG, Punjab for the petitioners.

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ORDER

HEMANT GUPTA, J.

The challenge in the present revision petition is to the order passed by the Courts below whereby award dated 3.7.1986 was set-aside.

The dispute between the parties arising out of a contract for the construction of Regional Extension Centre, Jalandhar, was referred to an Arbitrator. The learned Arbitrator in its award has found that the department has suffered loss on account on non completion of the work by the Contractor. The learned Arbitrator has also given compensation to the department for getting the work done from another Contractor.

Both the Courts below have recorded a concurrent finding of fact that the learned Arbitrator himself has decided the question regarding labour rates in connection with the construction of the Regional Extension Centre, Jalandhar in respect of which the dispute arose subsequently. Still further, it has been found that the measurement book

was not produced the production of which alone could show the construction of work by the Contractor. Such is the finding of fact recorded by the Court below on proper appreciation of evidence.

I do not find any illegality or irregularity in the order passed by the Courts below which may warrant interference of this Court in exercise of its revisional jurisdiction.

Dismissed.

(HEMANT GUPTA)
JUDGE

March 28, 2007
**mohinder*